

FILED

MAR 7 2022

U.S. DISTRICT COURT-WVND
WHEELING, WV 26003

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

v.

RHONDA KAY SPENCER,

Defendant.

Criminal No.

5:22cr9

Violation:

18 U.S.C. § 1341

INFORMATION

The United States Attorney charges that:

COUNT ONE

(Mail Fraud)

1. On March 27, 2020, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) was signed into law. The CARES Act created the PUA (Pandemic Unemployment Assistance) program, which provides unemployment benefits to individuals not eligible for regular unemployment compensation or extended unemployment benefits.

2. The PUA program is administered in the State of West Virginia, but is funded by the federal government.

3. In the State of West Virginia, WorkForce West Virginia is the agency that administers the PUA program, on behalf of the United States Department of Labor.

4. The United States Department of Labor is the agency responsible for overseeing the PUA program.

5. At all times relevant to this Information, defendant **RHONDA KAY SPENCER**, was employed as the Recorder for the Town of Pine Grove, West Virginia.

6. On an exact date not known to the United States Attorney, but at least on or about April 21, 2020, defendant **RHONDA KAY SPENCER**, devised a scheme and artifice to defraud and to obtain money from the United States through which the defendant intended to obtain approximately \$14,308 dollars by means of false and fraudulent pretenses, representations, and promises.

7. It was a part of the scheme and artifice that the defendant would submit an application to WorkForce West Virginia, requesting CARES Act unemployment funds distributed by the PUA program.

8. It was a further part of the scheme and artifice that the defendant would falsely state on the application to WorkForce West Virginia that she was unemployed due to the COVID-19 pandemic.

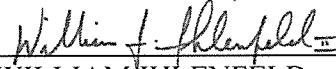
9. It was a further part of the scheme and artifice that the defendant would submit weekly certifications to WorkForce West Virginia, falsely stating that she was unemployed due to the COVID-19 pandemic, that she did not receive any wages or income, and that she actively looked for employment.

10. It was a further part of the scheme and artifice that the defendant would misrepresent and conceal material facts on her initial application and weekly certifications to WorkForce West Virginia that she received payroll income from her employment as the Recorder for the Town of Pine Grove, West Virginia.

11. On or about April 21, 2020, in Wetzel County, in the Northern District of West Virginia, and elsewhere, for the purpose of executing such scheme and artifice, defendant **RHONDA KAY SPENDER**, did knowingly cause to be delivered by mail according to the direction thereon, a matter and thing, that is, a debit card containing PUA funds, sent to her by

Keybank National Association, on behalf of WorkForce West Virginia and the United States
Department of Labor.

In violation of Title 18, United States Code, Section 1341.



WILLIAM IHLENFELD
United States Attorney

Danaë DeMasi-Lemon
Assistant United States Attorney